

SUMMARY ANALYSIS OF AMENDED BILL

Franchise Tax Board

Author: Cardenas Analyst: Colin Stevens Bill Number: AB 2065

Related Bills: AB 701 (1997) Telephone: 845-3036 Amended Date: 7/14/98

Attorney: Doug Bramhall

Sponsor:

SUBJECT: Local Business Regulations/Prohibit Imposing on Writers, Musicians, Directors or Artists

DEPARTMENT AMENDMENTS ACCEPTED. Amendments reflect suggestions of previous analysis of bill as introduced/amended _____.

AMENDMENTS IMPACT REVENUE. A new revenue estimate is provided.

AMENDMENTS DID NOT RESOLVE THE DEPARTMENT'S CONCERNS stated in the previous analysis of bill as introduced/amended _____.

FURTHER AMENDMENTS NECESSARY.

DEPARTMENT POSITION CHANGED TO _____.

☒ REMAINDER OF PREVIOUS ANALYSIS OF BILL AS AMENDED JULY 6, 1998, STILL APPLIES.

OTHER - See comments below.

SUMMARY OF BILL

Under the Business and Professions Code, this bill would prohibit a city or city and county from imposing a work permit requirement, requiring a regulatory license, or imposing a license fee or business tax on home-based writers, musicians, directors or other creative artists if the person's home-based business does not exceed certain specified activity thresholds.

SUMMARY OF AMENDMENT

The July 14, 1998, amendments:

- specify that a person working from the home as a writer, musician, director or other creative artist may not have more than two client visits per day rather than one visit per hour;
- specify that this act would have no effect other than those stated in this bill on the police power of a city or city and county; and
- provide definitions for "director," "musician," "writer," and "other creative artist."

Other than the amendments described above and the resolution of the implementation concern regarding the broad definition of a "writer, musician, director or other creative artist" and of the technical concern previously identified, the department's analysis of the bill as amended July 6, 1998, still applies.

Board Position:

<input type="checkbox"/> S	<input type="checkbox"/> NA	<input type="checkbox"/> NP
<input type="checkbox"/> SA	<input type="checkbox"/> O	<input type="checkbox"/> NAR
<input type="checkbox"/> N	<input type="checkbox"/> OUA	<input checked="" type="checkbox"/> X PENDING

Department/Legislative Director

Date

Johnnie Lou Rosas

8/6/98